

LSC Greenbook

Analysis of the Enacted Budget

Ohio Legal Rights Service

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ATTACHMENT:

Budget Spreadsheet By Line Item

Ohio Legal Rights Service

- Funding of about \$5 million each fiscal year
- Nonprofit transition study required

OVERVIEW

Agency Overview

The Ohio Legal Rights Service (OLRS) was established in 1975 to address institutional reform and quality of care standards for individuals with disabilities. In 1980, OLRS was designated, under federal law, as a protection and advocacy (P&A) system for Ohioans with disabilities. P&As are located in every state and have been the primary nonfederal enforcers of the disability rights statutes. In that capacity, OLRS provides legal advocacy services to individuals with a developmental disability, mental illness, or other significant physical or mental impairment. The services provided include legal representation, information and referral, negotiation and mediation, education, and training. OLRS also responds to allegations of abuse, neglect, and rights violations and advocates for individuals with disabilities for access to appropriate education, health care, housing, employment, and institutional reform.

OLRS's daily operations are the responsibility of the Executive Director. Including the Executive Director, in FY 2009, OLRS had a staff of 44 full-time and three part-time employees.

Appropriation Overview

Fund Group	FY 2009	FY 2010	% change	FY 2011	% change
General Revenue	\$395,198	\$246,619	(37.6%)	\$246,619	0.0%
General Services	\$34,873	\$81,352	133.3%	\$81,352	0.0%
Federal Special Revenue	\$4,226,603	\$4,702,500	11.3%	\$4,690,000	(0.3%)
State Special Revenue	\$1,246	\$24,600	1,874.3%	\$24,600	0.0%
TOTAL	\$4,657,920	\$5,055,071	8.5%	\$5,042,571	(0.3%)

*FY 2009 figures represent actual expenditures.

As can be seen in the above table, funding for OLRS's services comes from a mix of state and federal sources. Federal dollars account for over 90% of OLRS's funding. The budget provides an 8.5% increase in FY 2010 over the FY 2009 funding level and a 0.3% decrease in FY 2011.

Protection and Advocacy Programs

OLRS receives federal grants for nine federally mandated P&A and client assistance programs. In FY 2009, P&A programs served 4,949 individual cases. The funding from these federal grants accounts for 90% of OLRs's total budget for the FY 2010-FY 2011 biennium. The Protection and Advocacy for Individuals with Developmental Disabilities (PADD) Program and the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Program are appropriated at \$1.5 million and \$1.1 million each year, respectively. Funding for these two federal grant programs represents about 50% of OLRs's total budget for the upcoming biennium.

Ohio Legal Rights Services Nonprofit Transition Study

The budget requires OLRs to conduct a study concerning a potential transition to a nonprofit organization effective July 1, 2011. The study is to include an analysis of the following: the feasibility of a transition to a nonprofit organization, the potential effects on service delivery, the potential effects on the organization, and the approximate amount of time necessary to achieve a transition to nonprofit status. OLRs is to also develop a process plan to implement the transition by no later than July 1, 2011. This provision of the budget also requires a written report of the results of the study to be prepared and submitted to the Governor, Speaker and Minority Leader of the House of Representatives, and the President and Minority Leader of the Senate not later than six months after the effective date of the bill.

ANALYSIS OF ENACTED BUDGET

Introduction

This section provides an analysis of each line item in OLR's budget. In this analysis OLR's line items are grouped into three major categories. For each category a table is provided listing the appropriation in each fiscal year of the biennium. Following the table, a narrative describes how the appropriation is used. The three categories used in this analysis are as follows:

1. Federal Protection and Advocacy;
2. Other Programs and Services; and
3. Administration.

To aid the reader in finding each item in the analysis, the table below shows the category in which each appropriation has been placed, listing the line items in order within their respective fund groups and funds. This is the same order the line items appear in the budget bill.

Table 2. Categorization of OLR's Appropriation Line Items		
Fund	ALI and Name	Category
General Revenue Fund Group		
GRF 054321	Support Service	3: Administration
GRF 054401	Ombudsman	2: Other Programs and Services
General Services Fund Group		
5M00 054610	Settlements	2: Other Programs and Services
Federal Special Revenue Fund Group		
3050 054602	Protection and Advocacy – Developmentally Disabled	1: Federal Protection and Advocacy
3AG0 054613	Protection and Advocacy – Voter Accessibility	1: Federal Protection and Advocacy
3B80 054603	Protection and Advocacy – Mentally Ill	1: Federal Protection and Advocacy
3CA0 054615	Work Incentives Planning and Assistance	1: Federal Protection and Advocacy
3N30 054606	Protection and Advocacy – Individual Rights	1: Federal Protection and Advocacy
3N90 054607	Assistive Technology	1: Federal Protection and Advocacy
3R90 054604	Family Support Collaborative	2: Other Programs and Services
3R90 054616	Developmental Disability Publications	2: Other Programs and Services
3T20 054609	Client Assistance Program	1: Federal Protection and Advocacy
3X10 054611	Protection and Advocacy – Beneficiaries of Social Security	1: Federal Protection and Advocacy
3Z60 054612	Protection and Advocacy – Traumatic Brain Injury	1: Federal Protection and Advocacy
State Special Revenue Fund Group		
5AE0 054614	Grants and Contracts	2: Other Programs and Services

Federal Protection and Advocacy

The following table shows the appropriations for the nine P&A programs.

Table 3. Appropriations for Federal Protection and Advocacy				
Fund		ALI and Name	FY 2010	FY 2011
Federal Special Revenue Fund Group				
3050	054602	Protection and Advocacy – Developmentally Disabled	\$1,500,000	\$1,500,000
3AG0	054613	Protection and Advocacy – Voter Accessibility	\$135,000	\$135,000
3B80	054603	Protection and Advocacy – Mentally Ill	\$1,100,000	\$1,100,000
3CA0	054615	Work Incentives Planning and Assistance	\$355,000	\$355,000
3N30	054606	Protection and Advocacy – Individual Rights	\$570,000	\$570,000
3N90	054607	Assistive Technology	\$160,000	\$160,000
3T20	054609	Client Assistance Program	\$435,000	\$435,000
3X10	054611	Protection and Advocacy – Beneficiaries of Social Security	\$235,000	\$235,000
3Z60	054612	Protection and Advocacy – Traumatic Brain Injury	\$70,000	\$70,000
Federal Special Revenue Fund Group Subtotal			\$4,560,000	\$4,560,000
Total Funding: Federal Protection and Advocacy			\$4,560,000	\$4,560,000

Protection and Advocacy – Developmentally Disabled (054602)

This federally funded line item funds Protection and Advocacy for Individuals with Developmental Disabilities (PADD). PADD protects and advocates for the human and civil rights of people with developmental disabilities in developmental centers, schools, and communities. The budget provides a 5.5% increase in FY 2010 over the FY 2009 funding level, and flat funding for FY 2011.

Protection and Advocacy – Voter Accessibility (054613)

This federally funded line item funds Protection and Advocacy for Voting Assistance (PAVA), which is funded through a federal grant to implement the Help America Vote Act of 2002. This Act provides for protection and advocacy services to advance the voting rights of people with disabilities. P&A systems monitor the implementation of the Act. The budget provides a 31.8% increase in FY 2010 over the FY 2009 funding level, and flat funding for FY 2011.

Protection and Advocacy – Mentally Ill (054603)

This federally funded line item funds Protection and Advocacy for Individuals with Mental Illness (PAIMI). Each state has a PAIMI program, which is mandated to protect and advocate for the rights of people with mental illness, and investigate reports of abuse and neglect in facilities that care for or treat individuals with mental illness.

The budget provides an increase of 12.6% in FY 2010 over the FY 2009 funding level, and flat funding in FY 2011.

Work Incentives Planning and Assistance (054615)

This federally funded line item funds the Work Incentives Planning and Assistance (WIPA) Program. The program is designed to assist Social Security Administration beneficiaries with disabilities to secure gainful employment, achieve financial stability, and secure affordable health care. OLRs provides WIPA services for 31 counties. The Center for Vocational Alternatives and the Legal Aid Society of Greater Cincinnati provide WIPA services to the remaining 57 counties. The budget provides an increase of 32.3% in FY 2010 over the FY 2009 funding level, and flat funding for FY 2011.

Protection and Advocacy – Individual Rights (054606)

This federally funded line item funds the Protection and Advocacy for Individual Rights (PAIR) Program. PAIR programs were established to protect and advocate for the legal and human rights of persons with disabilities other than those served by the PADD, PAIMI, or Client Assistance programs. PAIR eligibles include individuals with chronic or serious medical conditions, individuals with physical disabilities, and individuals with traumatic brain injury who received the disabling injury after age 22. The budget provides an increase of 17.8% in FY 2010 over the FY 2009 funding level, and flat funding for FY 2011.

Assistive Technology (054607)

This federally funded line item funds the Protection and Advocacy for Assistive Technology (PAAT) Program. The PAAT Program assists individuals with disabilities and their caregivers in the acquisition, utilization, or maintenance of assistive technology. The PAAT Program also provides case management services, legal representation, and self advocacy training regarding assistive technology. The budget provides an 11.6% increase in FY 2010 over the FY 2009 funding level, and flat funding for FY 2011.

Client Assistance Program (054609)

This federally funded line item funds the Client Assistance Program (CAP). The purpose of CAP is to establish a system to ensure the rights of individuals seeking from, or receiving services through, the Ohio Rehabilitation Service Commission's Bureau of Vocational Rehabilitation or Bureau of Services for the Visually Impaired. CAP informs, advises, and can pursue legal, administrative, or other appropriate remedies for clients and client applicants experiencing employment-related problems. CAP also provides information to clients on Title I of the Americans with Disabilities Act. The

budget provides an increase of 5% in FY 2010 over the FY 2009 funding level, and flat funding for FY 2011.

Protection and Advocacy – Beneficiaries of Social Security (054611)

This federally funded line item funds the Protection and Advocacy for Beneficiaries of Social Security (PABSS) Program. The purpose of PABSS is to provide information and advocacy services to Supplemental Security Income and Social Security Disability Insurance beneficiaries who want to work, and to provide advocacy or other services that beneficiaries with a disability may need to secure or regain gainful employment. The budget provides an increase of 13.1% in FY 2010 over the FY 2009 funding level, and flat funding for FY 2011.

Protection and Advocacy – Traumatic Brain Injury (054612)

This federally funded line item is used to fund the Protection and Advocacy for Individuals with Traumatic Brain Injury (PATBI) Program. The PATBI Program improves access to health and other services for individuals with traumatic brain injury and their families. The budget provides an increase of 35% in FY 2010 over the FY 2009 funding level, and flat funding for FY 2011.

Other Programs and Services

The following table shows the appropriations for the Ombuds section and other programs and services provided by OLRs.

Table 4. Appropriations for Other Programs and Services				
Fund		ALI and Name	FY 2010	FY 2011
General Revenue Fund				
GRF	054401	Ombudsman	\$146,789	\$146,789
General Revenue Fund Subtotal			\$146,789	\$146,789
General Services Fund Group				
5M00	054610	Settlements	\$81,352	\$81,352
General Services Fund Group Subtotal			\$81,352	\$81,352
Federal Special Revenue Fund Group				
3R90	054604	Family Support Collaborative	\$12,500	\$0
3R90	054616	Developmental Disability Publications	\$130,000	\$130,000
Federal Special Revenue Fund Group Subtotal			\$142,500	\$130,000
State Special Revenue Fund Group				
5AE0	054614	Grants and Contracts	\$24,600	\$24,600
State Special Revenue Fund Group			\$24,600	\$24,600
Total Funding: Other Programs and Services			\$395,241	\$382,741

Ombudsman (054401)

This GRF line item funds the statutorily required Ombuds section operated by OLRs. The Ombuds section, funded exclusively through GRF, was created in 1986 by the General Assembly to protect people with disabilities from immediate and long-term harm and to issue and monitor rule and policy recommendations to state and local agencies. The section also investigates, negotiates, and mediates complaints brought on behalf of people with disabilities without the cost of lawyers or litigation. The budget provides a decrease of 41.2% in FY 2010 from the FY 2009 funding level, and flat funding for FY 2011.

Settlements (054610)

This appropriation creates spending authority for cost and fee awards obtained by OLRs through cases. These funds are treated as federal program income for the grant that funded the case. Spending from this line item is used for costs associated with the program from which the settlement/attorney fees were derived. The budget provides an increase of 133.3% in FY 2010 over the FY 2009 funding level, and flat funding for FY 2011.

Family Support Collaborative (054604)

This federally funded line item is used to fund the Family Support Collaborative. The program identifies children with disabilities in out-of-home placements; to identify barriers that keep children from living with a family; to plan for coordinated, efficient supports and services that assist children with disabilities to live with birth, adoptive, or foster families; and to bring together stakeholders. This line item is funded with federal pass-through dollars in the form of a grant from the Department of Developmental Disabilities. The grant is time limited and will expire on September 30, 2009. The budget provides a decrease of 77.3% in FY 2010 from the FY 2009 funding level, and no appropriation in FY 2011. This will allow OLRs to spend the remainder of the grant before the end of the federal fiscal year.

Developmental Disability Publications (054616)

This federally funded line item is used to fund a quarterly newsletter for the Ohio Developmental Disabilities Council. This line item is funded with federal pass-through dollars from the Department of Developmental Disabilities. The budget provides an increase of 28.8% in FY 2010 over the FY 2009 funding level, and flat funding for FY 2011.

Grants and Contracts (054614)

This line item is used to fulfill OLRs's individual grant and contract obligations. OLRs applies for and receives a variety of grants that are deposited into the Grants and Contracts Fund (Fund 5AE0), which supports this line item. The Ohio State Bar Foundation has provided a grant for redesigning OLRs's web site to make it more current and user friendly. The budget provides an increase of 1,874.3% in FY 2010 over the FY 2009 funding level, and flat funding for FY 2011.

Administration

The following table shows the appropriations for administrative expenses.

Table 5. Appropriations for Administration				
Fund		ALI and Name	FY 2010	FY 2011
General Revenue Fund				
GRF	054321	Support Service	\$99,830	\$99,830
General Revenue Fund Subtotal			\$99,830	\$99,830
Total Funding: Administration			\$99,830	\$99,830

Support Service (054321)

This GRF line item is used to pay for some personal services, maintenance, and equipment expenses of OLRs and serves as a source of match dollars for grants. The budget provides a decrease of 31.4% in FY 2010 from the FY 2009 funding level, and flat funding for FY 2011.

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FY 2010 - 2011 Final Appropriation Amounts

All Fund Groups

Line Item Detail by Agency			FY 2008	FY 2009	FY 2010 Appropriations	% Change FY09 - FY10	FY 2011 Appropriations	% Change FY10 - FY11
Report For: Main Operating Appropriations Bill			Version: Enacted					
LRS Legal Rights Service								
GRF	054300	Equipment	\$ 919	\$ 0	\$0	N/A	\$0	N/A
GRF	054321	Support Services	\$ 178,235	\$ 145,451	\$ 99,830	-31.37%	\$ 99,830	0.00%
GRF	054401	Ombudsman	\$ 261,137	\$ 249,747	\$ 146,789	-41.22%	\$ 146,789	0.00%
General Revenue Fund Total			\$ 440,292	\$ 395,198	\$ 246,619	-37.60%	\$ 246,619	0.00%
5M00	054610	Settlements	\$ 154,981	\$ 34,873	\$ 81,352	133.28%	\$ 81,352	0.00%
General Services Fund Group Total			\$ 154,981	\$ 34,873	\$ 81,352	133.28%	\$ 81,352	0.00%
3050	054602	Protection and Advocacy-Developmentally Disabled	\$ 1,326,461	\$ 1,421,745	\$ 1,500,000	5.50%	\$ 1,500,000	0.00%
3AG0	054613	Protection and Advocacy-Voter Accessibility	\$ 97,144	\$ 102,398	\$ 135,000	31.84%	\$ 135,000	0.00%
3B80	054603	Protection and Advocacy-Mentally Ill	\$ 999,493	\$ 976,766	\$ 1,100,000	12.62%	\$ 1,100,000	0.00%
3CA0	054615	Work Incentives Planning and Assistance	\$ 333,417	\$ 268,365	\$ 355,000	32.28%	\$ 355,000	0.00%
3N30	054606	Protection and Advocacy-Individual Rights	\$ 482,871	\$ 483,851	\$ 570,000	17.80%	\$ 570,000	0.00%
3N90	054607	Assistive Technology	\$ 129,627	\$ 143,406	\$ 160,000	11.57%	\$ 160,000	0.00%
3R90	054604	Family Support Collaborative	\$ 40,687	\$ 55,000	\$ 12,500	-77.27%	\$ 0	-100.00%
3R90	054616	Developmental Disability Publications	\$ 89,420	\$ 100,898	\$ 130,000	28.84%	\$ 130,000	0.00%
3T20	054609	Client Assistance Program	\$ 341,495	\$ 414,432	\$ 435,000	4.96%	\$ 435,000	0.00%
3X10	054611	Protection and Advocacy - Beneficiaries of Social Security	\$ 141,571	\$ 207,846	\$ 235,000	13.06%	\$ 235,000	0.00%
3Z60	054612	Protection and Advocacy-Traumatic Brain Injury	\$ 52,975	\$ 51,894	\$ 70,000	34.89%	\$ 70,000	0.00%
Federal Special Revenue Fund Group Total			\$ 4,035,163	\$ 4,226,603	\$ 4,702,500	11.26%	\$ 4,690,000	-0.27%
5AE0	054614	Grants and Contracts	\$ 221	\$ 1,246	\$ 24,600	1,874.33%	\$ 24,600	0.00%
State Special Revenue Fund Group Total			\$ 221	\$ 1,246	\$ 24,600	1,874.33%	\$ 24,600	0.00%
Legal Rights Service Total			\$ 4,630,657	\$ 4,657,920	\$ 5,055,071	8.53%	\$ 5,042,571	-0.25%